

By-law # 2

The Council of the Okanagan Band of Indians at a meeting held the fourth day of October, 1956, makes the following by-law pursuant to paragraphs (o) and (r) of Section 80 of the Indian Act.

A by-law to provide for the preservation, protection and management of fish and game in the Okanagan Indian Reserve in the Province of British Columbia.

FISHING

1. No person, other than a member of the band, shall be permitted to fish or carry fishing equipment in the reserve without first obtaining a written permit to so do from the person authorized by the Council to grant such permission.
2. Permits may be obtained only on production of a valid and subsisting British Columbia Provincial License, if such is required by the person applying, to fish within the Province of British Columbia.
3. Such permit shall be subject to a fee established from time to time by resolution of the Council of the Band.
4. Angling, open and close seasons, coarse fish, game fish, resident, total length, and all other matters not specifically mentioned in this by-law shall be as provided in the Special Fishery Regulations for the Province of British Columbia.

HUNTING

5. No person other than a member of the band shall be permitted to hunt or carry hunting equipment in the reserve without first obtaining a written permit to so do from the person authorized by the Council to grant such permission.
6. Permits to hunt may be obtained only on production of a valid and subsisting British Columbia licence.

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7. Such permit shall be subject to a fee established from time to time by resolution of the Council of the Band.

8. Open seasons, bag limits, possession limits and all other matters with respect to hunting not provided for in this by-law shall be, with respect to ducks, as set out in the regulations for the Province of British Columbia made under authority of the Migratory Birds Convention Act, and with respect to other game, as provided in the regulations made under the British Columbia Game Act for the contiguous provincial lands.

ENFORCEMENT

9. The Chief and Councillors of the Band, Indian constables and any other person or persons named by the Council shall be ex-officio officers for the enforcement of this by-law.

10. Any officer for the enforcement of this by-law shall forthwith seize all game or fish or game protected by this by-law, which

(a) is found by him in possession of any person, other than a member of the Band, who is not in possession of a permit under Sec. 2 or 6 of this by-law;

(b) appears to have been taken by some unlawful means; and shall bring such game or fish or hunting or fishing equipment before a police magistrate, stipendiary magistrate, or person appointed by the Governor in Council to be a justice of the peace for offences under the Indian Act.

11. Where a person is convicted of an offence under this by-law, the convicting court or judge may order that the game, fish, in addition to any penalty imposed, are forfeited to her Majesty for the benefit of the band provided,

11. however, that the meat or fish so forfeited shall be delivered to a charitable institution designated by the Council.

PENALTIES

12. Any person who violates the provisions of this by-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred dollars or imprisonment for a term not exceeding thirty days, or both fine and imprisonment.

Signed in the presence of:

D. M. Hett.
D. M. Hett

Pierre Louis
(Chief)

Ed Bourneau
(Councillor)

L Lewis
(Councillor)

Dan Logan
(Councillor)

(Councillor)

(Councillor)